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EXAMINER

GRAHAM, CLEMENT B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/505,721

Applicant(s)

GIORDANO ET AL.

Examiner

Clement B. Graham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-82 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-82 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/2/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-50 remained pending and claims 51-82 has been added.

#### **Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-84, are rejected under 35 U.S.C. 102(e) as being anticipated by Griffith U.S PATENT 6, 195, 541.

As per claim 1, Griffith discloses a method for processing consumer transactions comprising the steps of:

receiving a radio frequency signal at of point-of sale device, said signal comprising customer identification data; transmitting an authorization request from device to a transaction processing system, said authorization request comprising a merchant identifier, transaction data, and said customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68) determining, from said customer identification data, a payment processor that corresponds to said merchant identifier(see column 2 lines 1-48 and column 3-7 lines 1-68) transmitting said authorization request to said payment processor; and transmitting to one of said device, said payment processor's response to said authorization request. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 2, Griffith discloses wherein said customer identification data further comprises a personal identification number manually entered at said device by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 3, Griffith discloses a method for processing consumer transactions comprising the steps of:  
receiving a radio frequency signal at a point-of-sale device, said signal comprising customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68)  
transmitting an authorization request from said point-of-sale device to a transaction processing system, said authorization request comprising a merchant identifier, transaction data, and said customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68) and receiving a response to said authorization request from said transaction processing system. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 4, Griffith discloses wherein said customer identification data further comprises a personal identification number manually entered at said point-of-sale device by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 5, Griffith discloses a method for collecting consumer purchasing trend information in a computer implemented transaction system, said method comprising  
receiving a radio frequency signal at a device, said signal at a point of sale device said signal comprising customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68) transmitting an authorization request from point-of-sale device to said computer implemented transaction processing system, said authorization request comprising a merchant identifier, transaction data, and said customer identification data(see column 2 lines 1-48 and column 3-7 lines 1-68) and updating a database with said transaction data and said customer identification data. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 6, Griffith discloses wherein said customer identification data further comprises a personal identification number manually entered at said point-of-sale device by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 7, Griffith discloses wherein the step of transmitting an authorization request further includes the following steps of:  
determining, from said customer identification data, a payment processor that corresponds to said merchant identifier(see column 2 lines 1-48 and column 3-7 lines 1-68) and transmitting said authorization request from said transaction processing system to said payment processor for authorization. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 8, Griffith discloses wherein said step of updating a database further comprises the step of updating a database with said transaction data and said customer identification data when said payment processor authorizes said transaction. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 9, Griffith discloses a method of monitoring customer progress in a merchant award program, comprising the steps of:  
receiving a radio frequency signal at a point of-sale device, said signal comprising customer identification data(see column 2 lines 1-48 and column 3-7 lines 1-68)  
transmitting an authorization request from point of sale device to a transaction processing system, said authorization request comprising a merchant identifier, said transaction data, and said customer identification data; and crediting a customer account in a database with loyalty points indicative of said transaction data. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 10, Griffith discloses wherein said customer identification data further comprises a personal identification number manually entered at said of point-of-sale device by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 11, Griffith discloses wherein the step of transmitting an authorization request further includes the following steps of:  
determining, from said customer identification data, a payment processor that corresponds to said merchant identifier(see column 2 lines 1-48 and column 3-7 lines 1-68) and transmitting said authorization request from said transaction processing

system to said payment processor for authorization. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 12, Griffith discloses wherein said step of updating a database further comprises the step of updating a database with said transaction data and said customer identification data when said payment processor authorizes said transaction. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 13, Griffith discloses a system for processing transactions comprising the steps of:  
means for receiving a radio frequency signal at a point-of-sale device, said signal comprising customer identification data;  
means for transmitting an authorization request from a point-of-sale device to a transaction processing system, said authorization request comprising a merchant identifier, transaction data, and said customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68) means for determining, from said customer identification data, a payment processor that corresponds to said merchant identifier (see column 2 lines 1-48 and column 3-7 lines 1-68) means for transmitting said authorization request to said payment processor; and means for transmitting to said point-of-sale device a response from said payment processor. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 14, Griffith discloses a method of identifying a customer for the purpose of delivering personal services to the customer, comprising the steps of: receiving a signal over a wireless transmission medium to a merchant transceiver co-located with an attendant, said signal comprising customer identification data (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68) determining, from said customer identification data, a personal service that corresponds to said customer identification data (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68) and providing said personal service to said customer by the attendant. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 15, Griffith discloses wherein said customer identification data further comprises a personal identification number manually entered at said point-of-

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sale device by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 16, Griffith discloses a computer-readable medium containing instructions that cause a processor to implement a process for processing consumer transactions comprising the steps of:  
receiving a radio frequency signal at point-of sale device, said signal comprising customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68)  
transmitting an authorization request from one of said plurality of point-of-sale s device to a transaction processing system, said authorization request comprising a merchant identifier, transaction data, and said customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68) determining, from said customer identification data, a payment processor that corresponds to said merchant identifier;  
transmitting said authorization request to said payment processor; and transmitting to point-of-sale device, said payment processor's response to said authorization request. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 17, Griffith discloses wherein the step of receiving a signal at a of point-of-sale devisee device, further comprises the step of capturing a personal identification number entered by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 18, Griffith discloses a computer-readable medium containing instructions for processing transactions comprising the steps of:  
receiving a wireless signal at a point-of-sale device, said signal comprising customer identification data (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68) transmitting an authorization request from said point-of-sale device to a transaction processing system, said authorization request comprising a merchant identifier, transaction data, and said customer identification data (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68) and receiving a response from said payment processor. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 19, Griffith discloses wherein the step of receiving a signal at a point-of-sale device further comprises the step of capturing a personal identification number entered by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 20, Griffith discloses a computer-readable medium containing instructions that cause a processor to implement a process for collecting consumer purchasing trend information in a transaction system, said method comprising the computer-implemented steps of:  
receiving a wireless signal at a point-of-sale device, said signal comprising customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68) transmitting an authorization request from point-of-sale device to said transaction processing system, said authorization request comprising a merchant identifier, transaction data, and said customer identification data (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68) and updating a database with said transaction data and said customer identification data. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 21, Griffith discloses wherein receiving a signal at a point of sale device, further comprises the step of capturing a personal identification number entered by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 22, Griffith discloses wherein the step of transmitting an authorization request further includes the following steps of: determining, from said customer identification data, a payment processor that corresponds to said merchant identifier, and transmitting said authorization request from said transaction processing system to said payment processor for authorization. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 23, Griffith discloses wherein said step of updating a database further comprises the step of updating a database with said transaction data and said customer identification data when said payment processor authorizes said transaction. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 24, Griffith discloses a computer-readable medium containing instructions that cause a processor to implement a method for monitoring customer progress in a merchant award program, comprising the steps of: receiving a wireless signal at a point-of-sale device, said signal comprising customer identification data; transmitting an authorization request from said point-of-sale device to a transaction processing system (see column 2 lines 1-48 and column 3-7 lines 1-68) said authorization request comprising a merchant identifier, said transaction data, and said customer identification data; and crediting a customer account in a database with loyalty points indicative of said transaction data. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 25, Griffith discloses wherein the step of receiving a signal at a point-of-sale device, further comprises the step of capturing a personal identification number entered by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 26, Griffith discloses wherein the step of transmitting an authorization request further includes the following steps of: determining, from said customer identification data, a payment processor that corresponds to said merchant identifier (see column 2 lines 1-48 and column 3-7 lines 1-68) and transmitting said authorization request from said transaction processing system to said payment processor for authorization. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 27, Griffith discloses wherein said step of updating a database further comprises the step of updating a database with said transaction data and said customer identification data when said payment processor authorizes said transaction. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 28, Griffith discloses a system for processing transactions, comprising: a customer transceiver; a merchant transceiver comprised of a transceiver antenna for providing operating power to said customer transceiver and for exchanging information with said customer transceiver when said customer transceiver is placed in close proximity, to said

merchant transceiver (see column 2 lines 1-48 and column 3-7 lines 1-68) a point-of-sale device processor, coupled to said merchant transceiver, for capturing transaction data, combining the transaction data with a received customer/transmitter ID number and a merchant identifier to form an authorization request, and transmitting the authorization request to a transaction processing system(see column 2 lines 1-48 and column 3-7 lines 1-68) and a transaction processing system comprising: a memory having program instructions; and a processor configured to use said program instructions to: receive said authorization request determine, from said customer identification data, a payment processor that corresponds to said merchant identifier (see column 2 lines 1-48 and column 3-7 lines 1-68) transmit said authorization request to said payment processor for authorization; and transmit to one of said plurality of point-of-sale devices, said payment processor's response to said authorization request. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 29, Griffith discloses wherein said customer transceiver is further comprised of a memory operable to store information. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 30, Griffith discloses wherein said memory is operable to store a transmitter ID or a customer ID. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 31, Griffith discloses wherein said customer transceiver is further comprised of a processor coupled to said memory, said processor is adapted to read data from, and write data to said memory. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 32, Griffith discloses wherein said customer transceiver is further comprised of a security pad operable to capture biometric data and to convert said data into an electronic representation of said data. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 33, Griffith discloses wherein said biometric data is a fingerprint. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

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As per claim 34, Griffith discloses wherein said biometric data is a palm print. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 35, Griffith discloses wherein said processor is adapted to: compare an electronic representation of biometric data with a digital image stored in said memory; and transmit said transmitter ID or said customer ID when said captured biometric data is identical to said digital image stored in said memory. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 36, Griffith discloses wherein said processor is adapted to: compare a transaction amount with a dollar amount stored in said memory; and inhibit transmission of said transmitter ID and said customer ID when said transaction amount is greater than said dollar amount. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 37, Griffith discloses wherein said processor is adapted to subtract a transaction amount from a dollar amount stored in said memory when said transaction is authorized. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 38, Griffith discloses wherein said customer transceiver is further comprised of:  
a processor coupled to the memory; and a keyboard coupled to the processor; wherein said processor is operable to transmit information stored in said memory, or manually entered via said keyboard. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 39, Griffith discloses wherein said customer transceiver is embedded inside an article of clothing. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 40, Griffith discloses wherein said customer transceiver is embedded inside an item of jewelry. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

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As per claim 41, Griffith discloses wherein said customer transceiver is embedded inside an electronic device. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 42, Griffith discloses wherein said merchant transceiver is further comprised of:

a processor coupled to the transceiver; and

a keyboard coupled to the processor; wherein said processor is operable to receive information manually entered into said keyboard or received via said transceiver.

(Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 43, Griffith discloses wherein said merchant transceiver is further comprised of a display device for displaying information to a user. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 44, Griffith discloses wherein said merchant transceiver is further comprised of a printer for printing a receipt. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 45, Griffith discloses wherein said merchant transceiver is further comprised of a memory operable to store information relating to a transaction. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 46, Griffith discloses wherein said merchant transceiver is further comprised of a communication interface for communicating with external computing devices. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 47, Griffith discloses wherein said communication interface provides wireless connectivity to a point-of-sale device. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 48, Griffith discloses wherein said communication interface provides connectivity to a CATV network. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 49, Griffith discloses wherein said communication interface provides connectivity to the public switched telephone network (PSTN). (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 50, Griffith discloses wherein said communication interface provides connectivity to a self-service vending machine or pay telephone. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 51, Griffith discloses a method for processing a purchase transaction comprising:  
receiving a radio frequency signal at a receiver, said radio frequency signal comprising customer identification data;  
creating an authorization request based at least in part upon the receipt of the customer identification data, the authorization request comprising: a merchant identifier, transaction data and the customer identification data; communicating the authorization request to a transaction processor(see column 2 lines 1-48 and column 3-7 lines 1-68) processing the authorization request at the transaction processor based at least in part upon database information associated with the customer identification data or the merchant identifier and stored in a database accessible by a transaction processor(see column 2 lines 1-48 and column 3-7 lines 1-68) and communicating the purchase transaction for approval and payment. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 52, Griffith discloses further comprising communicating said customer identification data to a point of sale device. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 53, Griffith discloses wherein said customer identification data is communicated to said point of sale device and said point of sale device is coupled to said receiver. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 54, Griffith discloses wherein said customer identification data is communicated to said point of sale device and said point of sale device is integral with said receiver. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 55, Griffith discloses further comprising:  
processing the purchase transaction for approval and payment. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 56, Griffith discloses wherein communicating the authorization request to a transaction processor further comprises encrypting the authorization request. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 57, Griffith discloses wherein the database information further comprises a preassigned payment method and, processing of the authorization request at the transaction processor further comprises processing the purchase transaction according to the preassigned payment method. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 58, Griffith discloses wherein the preassigned payment method is preselected by a customer. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 59, Griffith discloses wherein the preassigned payment method is associated with a merchant. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 60, Griffith discloses wherein the transaction processor is enabled to store information relating to the purchase transaction and;  
wherein the stored information relates to a customer loyalty or incentive program.  
(Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 61, Griffith discloses wherein the transaction processor is enabled to store information relating to purchase transactions and the stored information is accessible by a plurality of merchants;  
the method further comprising:  
enabling a merchant of the plurality of merchants to couple an incentive with an incentive provided by another of the plurality of merchants, thereby enabling customer incentives to be awarded across multiple merchants. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 62, Griffith discloses wherein the stored information is accessible by a merchant and enables the merchant to provide targeted incentives to a customer based at least in part upon an analysis of the stored information. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 63, Griffith discloses wherein the point of sale device is coupled to a security device that prevents unauthorized use of the transceiver. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 64, Griffith discloses wherein the security device further comprises a biometric recording device. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 65, Griffith discloses further comprising:  
inputting a password or Personal Identification Number (PIN) into a security device in communication with said point of sale device. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 66, Griffith discloses a method for processing a purchase transaction over the Internet, the method comprising:  
enabling a customer to access and identify, via the Internet, one or more products at an online merchant Web site;  
receiving customer identification data collected from a radio frequency signal received at a receiver in communication with a customer computer (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68) creating an authorization request based at least in part upon the receipt of the customer identification data, the authorization request comprising: a merchant identifier, identified product information and the customer identification data; and communicating the authorization request to a transaction processor (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 67, Griffith discloses further comprising: processing the authorization request at the transaction processor based at least in part upon database information associated with the customer identification data or the merchant identifier and stored in a database accessible by a transaction processor. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 68, Griffith discloses further comprising:  
communicating the purchase transaction for approval and payment. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

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As per claim 69, Griffith discloses a method for processing a purchase transaction comprising: receiving a radio frequency signal at a receiver, said signal comprising a customer identification data; creating an authorization request based at least in part upon the receipt of the customer identification data, the authorization request comprising a merchant identifier, transaction data (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68) and the customer identification data; communicating the authorization request to a transaction processor; processing, at the transaction processor, the authorization request to determine transaction processing instructions, wherein the transaction processing instructions are based at least in part upon one or more of the merchant identifier, transaction data or customer identification data; and communicating the purchase transaction to a payment processor. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 70, Griffith discloses further comprising communicating said customer identification data to a point of sale device. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 71, Griffith discloses wherein said customer identification data is communicated to said point of sale device and said point of sale device is coupled to said receiver. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 72, Griffith discloses wherein said customer identification data is communicated to said point of sale device and said point of sale device is integral with said receiver. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 73, Griffith discloses further comprising: processing the purchase transaction for payment and approval. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 74, Griffith discloses a method for creating an authorization request comprising: receiving a radio frequency signal, comprising a customer identification data, at a receiver communicating the customer identifier to a point of sale device (see column 2 lines 1-48 and column 3-7 lines 1-68) receiving customer purchase information at the

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point of sale device, wherein the customer purchase information is related to the goods or services being purchased; and combining the customer identification data with a merchant identifier and the customer purchase information to create an authorization request. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 75, Griffith discloses further comprising:  
receiving the authorization request at a transaction processor; and identifying a payment processing system based at least in part upon the authorization request. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 76, Griffith discloses further comprising:  
transmitting information related to the authorization request to a payment processing system for processing a customer's purchase transaction related to the authorization request. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 77, Griffith discloses a method for processing a customer's purchase transaction comprising:  
receiving a radio frequency signal at a point of sale device, said signal comprising customer identification data;  
receiving customer purchase information at the point of sale device, wherein the customer purchase information is related to the goods or services being purchased (see column 2 lines 1-48 and column 3-7 lines 1-68) combining the customer identification data with a merchant identifier and the customer purchase information to create an authorization request; receiving the authorization request at a transaction processor (see column 2 lines 1-48 and column 3-7 lines 1-68) identifying the customer's payment method based at least in part upon the authorization request; and processing the customer's purchase transaction according to the identified customer's payment method. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 78, Griffith discloses a system for processing a purchase transaction comprising:

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a radio frequency receiver for receiving a radio frequency signal, said radio frequency signal comprising a customer identification data;

an authorization request module for creating an authorization request based at least in part upon the receipt of the customer identification data (see column 2 lines 1-48 and column 3-7 lines 1-68)

the authorization request comprising: a merchant identifier, transaction data and the customer identification data;

a communication device for communicating the authorization request to a transaction processor (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68)

an authorization request processor module for processing the authorization request at the transaction processor based at least in part upon database information associated with the customer identification data or the merchant identifier and stored in a database accessible by a transaction processor. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 79, Griffith discloses further comprising:

a communication device for communicating said customer identifier to a point of sale device. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 80, Griffith discloses wherein the point of sale device is coupled to said radio frequency receiver.

As per claim 81, Griffith discloses wherein the point of sale device is integral with said radio frequency receiver. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

As per claim 82, Griffith discloses further comprising:

a purchase transaction module for processing the purchase transaction for approval and payment. (Note abstract and see column 2 lines 1-48 and column 3-7 lines 1-68).

### **Conclusion**

5. Applicant's arguments filed 6/2/2004 has been fully considered but they are moot in view of new grounds of rejections.

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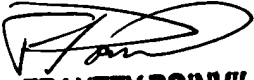
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

June 16, 2005

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
AU 3628